THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23686 of 2007

Between:

Bojja Surya Narayana and others.

.. PETITIONERS

and

The District Collector and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23686 of 2007

ORDER:

It is the case of the petitioners that each of them has been granted

lease for an extent of Ac.0-50 cents in Sy.No.213/2 situated at Kodavali Village, Gollaprolu Mandal, East Godavari District, through proceedings in Ref.B.290/06, dated 30-12-2006, by the Tahsildar, Gallaprolu.

Admittedly, the land in question is a poramboke land. As the petitioners were already in occupation of the said land, the lease was granted in their favour through proceedings in Ref.B.290/06, dated 30-12-2006, by the Tahsildar, Gallaprolu. As per the said lease order, the petitioners were asked to pay lease amount every year to the Government and the petitioners shall cultivate the said lands personally. If there is any violation, it is open for the respondents to cancel the lease.

Though as per the last condition of the lease order, the Tahsildar is entitled to cancel the lease proceedings without issuing any notice, I am of the opinion that the petitioners are entitled to put on notice on what grounds the lease is sought to be cancelled and the land is sought to be taken into possession of the Government.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 3rd respondent to follow the principles of natural justice before dispossessing the petitioners or cancelling the lease order, dated 3012-2006. There shall be no order as to costs.

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28-11-2007

Prv